

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
May 15, 2017

The Lyndon City Council met in regular session on Monday, May 15, 2017, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison and members Bill Patterson, Darin Schmitt, and Ryan Kuhn present. Darrel Finch absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; David Wilson, Maintenance Supervisor; and Darrel Manning Chief of Police/Zoning Administrator.

Others Present: Tammy Schlingmann, Herald Chronicle, Jeff and Brandee Clark, and Dr. Vance Lassey.

2. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- a) Patterson made the motion to approve the regular meeting minutes of May 1, 2017 as written. Kuhn seconded, motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Schmitt made the motion to approve the bills as set forth. Patterson seconded, motion carried.

4. PUBLIC COMMENTS: Jeff Clark introduced Dr. Vance Lassey and briefly discussed the possibility of a Direct Pay Health Clinic opening in Lyndon. Dr. Lassey provided Council a brief history of his experience in the health care system and information on how Direct Pay Health Care works. He stated this model of health care is nationwide and growing steadily.

Dr. Lassey stated this type of health care is a monthly fee that ranges from \$10 to \$100 based on age and provides 24-hour access to a physician, pharmacy services, and various other services. He stated that some of his patients still have health insurance, however, pay the monthly fee and are seen at his office due to no co-pays, shorter wait for appointments, savings on specialty services, and quality of care. After a lengthy discussion, the Council thanked Mr. Clark and Dr. Lassey for attending the meeting and providing information on Direct Pay Health Care.

5. CORRESPONDENCE TO COUNCIL:

- Thank you card from PTO thanking the City for donating pool passes to the carnival.
- Public Wholesale Water Supply District #12 Meeting minutes of April 19, 2017.
- Public Wholesale Water Supply District #12 Annual Meeting minutes of April 19, 2017.
- Pledge of Securities from Lyndon State Bank as of April 30, 2017.
- Copy of the letter from KDHE stating the lead and copper site-sampling plan and materials evaluation are approved.

- Letter from Mediacom in regards to changing the TV lineup from analog format to all digital and fully encrypted formatting.

6. UNFINISHED BUSINESS:

- a) LYNDON LEADERS SIGN PROOF FOR CITY PARK SIGN: Council received a copy of the sign proof from Kristen Kneisler with the Lyndon Leaders 4-H club. The sign is approximately 34' x 14' and will be placed at City Park. The City Clerk stated once the sign is complete, Mrs. Kneisler requested a time with the Maintenance Supervisor for installation and photos. After a brief discussion, it was consensus of the council to approve the sign as submitted.
- b) BAILEY HOUSE UPDATE: The City Clerk stated she received a response from Corey at Pishny in regards to the cost for finishing the Bailey House project and reviewed them with Council. She stated the cost estimates provided by Pishny in 2013 were to help in drafting the grant application, however, are slightly different from what Ms. Clark submitted. Pishny increased costs by five percent due to labor and materials costs, which is calculated from the 2013 cost estimates and not from costs written in the grant. The City Clerk stated that she spoke with Katrina Ringler at Heritage Trust and Ms. Ringler stated that the updated cost is within budget and to proceed with Pishny drafting a contract for review. Ms. Ringler also stated if the contract is provided and approved by the City soon, a project extension would be granted. The City Clerk stated after speaking the Ms. Ringler and the Mayor that she contacted Pishny to proceed with drafting a contract for approval. She stated she hopes to receive the contract in the next few days and will forward to the City Attorney for review.
- c) SUMMER EVENTS AT THE POOL: The Council received an updated pool schedule with new events for consideration and approved with consensus by Council. The July 22 movie by the pool was removed due to licensing regulations. The events include:
 - Father's Day Swim on June 18 from 1-6 p.m. Dads are free with one paid admission
 - Annual July 4 Free, Swim from 1 - 6 p.m.
 - Teen Glow Party on July 15 from 8 - 10 p.m., \$1 per admission or free admission if patron follows theme.
 - Softball/Baseball Celebration on July 29 from 6 - 8 p.m. \$1 admissions and coaches are free.
 - Back to School Bash on August 6 from 6 - 8 p.m., \$1 admissions or free with school supply item. Supplies will be donated to USD 421.

7. NEW BUSINESS:

- a) RESOLUTION 2017-5 TRANSFER OF SPECIAL HIGHWAY FUNDS: The City Clerk provided a copy of Resolution 2017-5 that authorizes the annual transfer of Special Highway funds to Special Machinery. Schmitt made the motion to approve and authorize the Mayor to sign the resolution. Kuhn seconded, motion carried.

- b) **NON-LEVY FUND REVIEW FOR 2018 BUDGET:** The City Clerk reviewed non-levy and non-budgeted funds for the 2018 budget detailing 2016 actual, 2017 projected, and 2018 budgeted amounts. Funds discussed included Special Highway, Special Machinery, Special Parks & Rec, Equipment Reserve, Storm Water, Trash, Water and Bailey House. She answered Council questions and stated that at the June 5 meeting they will be reviewed again briefly to show how it ties into the rest of the budget once mill levy funds are completed. The City Clerk stated she will not receive assessed valuations from the County Clerk until June 15, which does not allow much time to adjust the budget before the June 19th meeting, however, if the trend continues as it has over the last 3 years, it should not change the mills drastically.
- c) **BIDS FOR MOWING VACANT PROPERTIES:** The Mayor stated that every year there are a certain number of properties in the City where the grass is not mowed regularly and lacks upkeep. He stated himself and the City Clerk has discussed the process on hiring a lawn company to keep these properties mowed. The City Clerk provided Council with a sample bid advertisement for review and the requirements the sample city uses to hire. The City Attorney recommended calling local businesses, banks and other cities to see what company they have hired and contact those companies for proposals.

The Mayor asked how the expense for mowing is funded and the City Clerk stated it comes out of the General Fund. She stated that if the City is not paid after billing the property owner it is assessed to their yearly taxes in September through the County Clerk's office. The City Attorney recommended contacting the Collection Bureau of Kansas to see if they would also collect on the mowing debts.

- d) **CONSIDERATION OF CHANGING LANGUAGE IN ORDINANCE NO. 702:** The Mayor stated the language in the ordinance more than likely does not need to be changed, however, needs to be clarified in regards to allowing ATV or utility vehicles to be driven on City streets. He stated the Lyndon Rec in the past has driven a utility vehicle to City Park to assist in maintaining the baseball field, as they do not have a trailer to transport the vehicle.

The City Attorney stated he spoke to the Mayor and Police Chief in regards to the last two lines of Section 2B which state "...such all-terrain vehicles may be operated incidentally upon such federal or state highway or by any City employee or authorized representative during the course of their employment or duties upon a City street, alley or City property". He also stated he agrees that the City not get into the business of permitting ATV's, however, recommended the Council authorize an adult from Lyndon Rec as a representative of the City per the ordinance which in turn will allow them to continue maintenance on the ball field. Patterson made motion to authorize an adult representative from the LRC to drive the gator/ATV only on city streets to the City Park for the limited purpose of preparing recreational services at the park as an authorized representative of the City. Schmitt seconded, motion carried.

- e) **ACCOUNT MODIFICATION:** The City Attorney stated once any debt is collected, the City Clerk and staff have the authority to write off the remaining amount, as it is

the 30% fee that is paid to the Collection Bureau of Kansas. No further account modifications after collections need approval for write off by Council.

- f) MICROCOMM WARRANTY: The Council received a copy of the MicroComm Warranty and the annual fee is \$1925. After a brief discussion, it was consensus of the Council not to participate with the extended warranty for the telemetry on the water tower.

8. STAFF REPORTS:

- a) POLICE: Council received a copy of the Officer Activity report and briefly discussed.
- b) PLANNING AND ZONING: The next meeting is scheduled for Wednesday, June 7th and consideration of special use permit and accessory structure issue will be discussed. It was noted that the issue between Lyndon Storage and KCPL is resolved.
- c) PUBLIC WORKS: Council received a copy of the Maintenance Activity report.

Kuhn inquired about the vandalism at the Bailey House. The Maintenance Supervisor stated someone threw a rock through the window and also tried to gain access through the front door.

Mayor Morrison asked if there had been any communication with Kwikom in regards to installation of equipment on the tower. It was noted that they had not contacted the City to begin work. The Maintenance Supervisor stated they changed the lock on the access gate to the tower and put a new door on the box. He stated the tower gate and the park restrooms are both accessible with the same key and that the police department was provided keys.

Kuhn inquired about the pump issue at the Sewer Plant. The Maintenance Supervisor stated a representative from Danco was at the plant last Thursday and there was a problem with a code in the system caused by the possibility of an electrical interruption. The Maintenance Supervisor stated they exercise the generator every Friday, which causes a quick power interruption, however, the representative from Danco will send him the information on how to retrieve that code to fix the issue in the future.

Brian Foster from BG Consultants retrieved flow meter information last Thursday for design of the lagoon system.

- d) CITY CLERK: Council members that are up for election were reminded that the filing deadline is June 1.

The City Clerk stated she prepared the City 1% informational flier for Council to review and once approved will be posted on Facebook and in town. She stated the sign is out in front of City Hall and is out seven days a week, 24 hours a day. It was

noted that since the sign has been put out front, residents have asked about City 1% funding.

The City Clerk stated she spoke with Don Jensen in regards to the temporary financing/bond. She stated the June 5 meeting is very important as far as having a quorum due to signing all of the paperwork needed to complete the process and met the June 28 closing deadline.

9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson asked about the 4th of July Celebration. The City Clerk stated they coordinated with the J&J Fireworks and both events will be on the 4th and not the weekend before.

10. EXECUTIVE SESSION: Patterson made the motion to recess to executive session for 10-minutes for Attorney Client Privilege with the City Attorney attending. Schmitt seconded, motion carried. Council reconvened with no binding action taken.

11. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, June 5, 2017, at 7:00 p.m. for regular meeting. Patterson seconded, motion carried.



City Clerk